

4  
9/14/02  
JG

RECEIVED  
U.S. DISTRICT COURT  
2 to 4

FILED  
HARRISBURG, PA

SEP 13 2002

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_  
Deputy Clerk

Michael S. Lurey  
Gregory O. Lunt  
Shira Roth  
**LATHAM & WATKINS**  
633 West Fifth Street, Suite 4000  
Los Angeles, CA 90071-2007  
Telephone (213) 485-1234

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

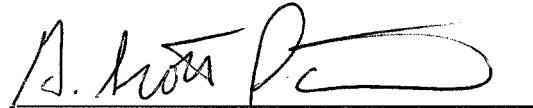
|                                    |   |                              |
|------------------------------------|---|------------------------------|
| RICHARD C. WOJEWODZKI,             | : | CIVIL ACTION NO. 1:CV 01-285 |
| Plaintiff                          |   | :                            |
| v.                                 |   | JUDGE SYLVIA H. RAMBO        |
| CONSOLIDATED FREIGHTWAYS,<br>INC., |   | :                            |
| Defendant                          |   | JURY TRIAL DEMANDED          |

**NOTICE OF COMMENCEMENT OF CHAPTER 11**

PLEASE TAKE NOTICE THAT on September 3, 2002,  
Consolidated Freightways Corporation and Consolidated Freightways  
Corporation of Delaware, debtors and debtors-in-possession herein  
(collectively, the "Debtors"), each filed a voluntary petition for relief under

chapter 11 of the United States Bankruptcy Code, 11 U.S.C.A. § 101 *et seq.* (collectively the "Petitions") in the United States Bankruptcy Court for the Central District of California, Riverside Division. A copy of the face page of each Petition is attached hereto. Please be advised that 11 U.S.C. § 362 operates as a stay, applicable to all entities, of, among additional items, the commencement or continuation of a judicial, administrative or other action or proceeding against the Debtors that was or could have been commenced before the filing of the Petitions, and the enforcement, against the Debtors or against property of the estate, of a judgment obtained before the commencement of the case. Creditors and plaintiffs may wish to consult an attorney to protect their rights.

Respectfully submitted,



VINCENT CANDIELLO  
G. SCOTT PATERNO  
One Commerce Square  
417 Walnut Street  
Harrisburg, PA 17101-1904  
(717) 237-4000

Of Counsel:

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: September 13, 2002

Form B1 (Official Form) - (Rev. 3/98)

1998 USBC, Central District of California

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION**

**Voluntary Petition**

|   |  |
|---|--|
| Name of Debtor (If Individual, enter Last, First, Middle):<br><b>Consolidated Freightways Corporation,<br/>a Delaware corporation</b> | Name of Joint Debtor (Spouse) (Last, First, Middle):<br><b>Not applicable</b>                            |
| All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):                                    | All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): |
| Soc. Sec./Tax I.D. No. (If more than one, state all):<br><b>77-0425334</b>  | Soc. Sec./Tax I.D. No. (If more than one, state all):  |
| Street Address of Debtor (No. & Street, City, State, & Zip Code):<br><b>16400 SE CF Way<br/>Vancouver, Washington 98683</b>           | Street Address of Joint Debtor (No. & Street, City, State, & Zip Code):                                  |
| County of Residence or of the Principal Place of Business: <b>Clark</b>   | County of Residence or of the Principal Place of Business:   |
| Mailing Address of Debtor (if different from street address):   | Mailing Address of Joint Debtor (if different from Street Address):                                      |
| Location of Principal Assets of Business Debtor (if different from street address above):   |  |

**Information Regarding the Debtor (Check the Applicable Boxes)**

**Venue (Check any applicable box)**

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  
 This petition is being filed by a corporation or partnership under chapter 11 and the Debtor acknowledges that a Venue Disclosure Form is required to be filed by General Order 97-02.

|   |  |   |
|---|--|---|
| Type of Debtor (Check all boxes that apply)   | Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)  |   |
| <input type="checkbox"/> Individual(s)<br><input checked="" type="checkbox"/> Corporation<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other _____                                 | <input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker   | <input type="checkbox"/> Chapter 7 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Sec. 304 - Case Ancillary to foreign proceeding |
| Nature of Debts (Check one box)   | Filing Fee (Check one box)   |   |
| <input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business   | <input checked="" type="checkbox"/> Full Filing Fee attached   |   |
| Chapter 11 Small Business (Check all boxes that apply)  | <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the Court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3 |   |
| <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101<br><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional) |  |   |

**Statistical/Administrative Information (Estimates only)**

- Debtor estimates that funds will be available for distribution to unsecured creditors.  
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid there will be no funds available for distribution to unsecured creditors.

09/03/2002 \*\*FILED\*\* 11:13

RS02-24289MG

DEBTOR:

CONSOLIDATED FREIGHTWAYS CORP

JUDGE: HON. M. Goldberg - 470

TRUSTEE: CH: 11 (INCOMPLETE)

341A MTG:

ADR:

**Estimated Number of Creditors reported on a consolidated basis with affiliated debtors:**

|                          |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1-15                     | 16-49                    | 50-99                    | 100-199                  | 200-999                  | 1000-Over                           |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Estimated Assets reported on a consolidated basis with affiliated debtors:**

|                          |                          |                          |                           |                              |                               |                                |                                     |
|--------------------------|--------------------------|--------------------------|---------------------------|------------------------------|-------------------------------|--------------------------------|-------------------------------------|
| \$0-<br>50,000           | \$50,000-<br>\$100,000   | \$100,001-<br>\$500,000  | \$500,001-<br>\$1 million | \$1,000,001-<br>\$10 million | \$10,000,001-<br>\$50 million | \$50,000,001-<br>\$100 million | More than<br>\$100 mil              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/>      | <input type="checkbox"/>       | <input checked="" type="checkbox"/> |

**Estimated Debts reported on a consolidated basis with affiliated debtors:**

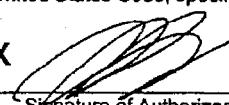
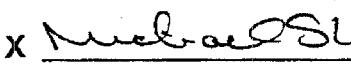
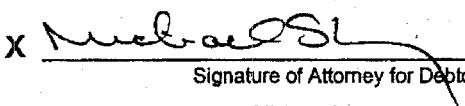
|                          |                          |                          |                           |                              |                               |                                |                                     |
|--------------------------|--------------------------|--------------------------|---------------------------|------------------------------|-------------------------------|--------------------------------|-------------------------------------|
| \$0-<br>50,000           | \$50,001-<br>\$100,000   | \$100,001-<br>\$500,000  | \$500,001-<br>\$1 million | \$1,000,001-<br>\$10 million | \$10,000,001-<br>\$50 million | \$50,000,001-<br>\$100 million | More than<br>\$100 mil              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/>      | <input type="checkbox"/>       | <input checked="" type="checkbox"/> |

CLERK, U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIF. ID: 020

RECEIPT NO: RS-022476 \$ 830.00

Form B1 (Official Form 1) Page 2 - (Rev. 3)

1990 USBC, CHAPTER 11, DISTRICT OF CALIFORNIA

|   |               |   |                            |  |
|---|---------------|---|----------------------------|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case.)</i>  |               | Name of Debtor(s): CO/<br>CORPORATION, a Del.<br>State corporation  | <b>PEDATED FREIGHTWAYS</b> |  |
| Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)   |               |   |                            |  |
| Location<br>Where Filed: None   | Case Number:  |   | Date Filed:                |  |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>   |               |   |                            |  |
| Name of Debtor:   | Case Number:  |   | Date Filed:                |  |
| <b>See Statement of Related Cases filed concurrently herewith</b>   |               |   |                            |  |
| District: U.S. Bankruptcy Court, Central District of California,<br>Riverside Division  | Relationship: |   | Judge:                     |  |
| <b>Signatures</b>   |               |   |                            |  |
| <b>Signature(s) of Debtor(s) (Individual/Joint)</b>   |               | Signature of Debtor (Corporation/Partnership)   |                            |  |
| <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> |               | <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p>  |                            |  |
| Signature of Debtor   |               | Signature of Authorized Individual  |                            |  |
| Signature of Joint Debtor   |               | John P. Brincko<br>Printed Name of Authorized Individual  |                            |  |
| Telephone and Fax Number (If not represented by attorney)   |               | President and Chief Executive Officer   |                            |  |
| Date  |               | Title of Authorized Individual  |                            |  |
| <br>Signature of Attorney  |               | <br>Signature of Non-Attorney Petition Preparer   |                            |  |
| Signature of Attorney for Debtor(s)<br>Michael S. Lurey<br>LATHAM & WATKINS<br>633 West Fifth Street, Suite 4000<br>Los Angeles, California 90071-2007<br>Telephone: (213) 485-1234<br>Facsimile No.: (213) 891-8763<br><br>09/01/02      048235<br>Date              Bar Number   |               | I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.   |                            |  |
| <b>Exhibit "A"</b><br>(To be completed if debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)<br><input checked="" type="checkbox"/> Exhibit "A" is attached and made a part of this petition.   |               | Printed or Typed Name of Bankruptcy Petition Preparer<br>Social Security Number<br>Address<br>Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document:<br>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.  |                            |  |
| <b>Exhibit "B"</b><br>To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.   |               | Signature of Bankruptcy Petition Preparer<br>Date<br>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.  |                            |  |
| Signature of Attorney for Debtor(s)   |               | Date  |                            |  |

Form B1 (Official Form) - (Rev. 3/98)

1998 USBC, Central District of California

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION**
**ORIGINAL****Voluntary Petition**

|   |  |
|---|--|
| Name of Debtor (If individual, enter Last, First, Middle):<br><b>Consolidated Freightways Corporation of Delaware, a Delaware corporation</b> | Name of Joint Debtor (Spouse) (Last, First, Middle):<br><b>Not applicable</b>                            |
| All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):  | All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): |
| Soc. Sec./Tax I.D. No. (If more than one, state all):<br><b>94-1444797</b>  | Soc. Sec./Tax I.D. No. (If more than one, state all):  |
| Street Address of Debtor (No. & Street, City, State, & Zip Code):<br><b>11888 Mission Boulevard<br/>Mira Loma, CA 91752</b>                   | Street Address of Joint Debtor (No. & Street, City, State, & Zip Code):                                  |
| County of Residence or of the Principal Place of Business: <b>Riverside</b>   | County of Residence or of the Principal Place of Business:   |
| Mailing Address of Debtor (if different from street address):   | Mailing Address of Joint Debtor (if different from Street Address):                                      |
| Location of Principal Assets of Business Debtor (if different from street address above):   |  |

**Information Regarding the Debtor (Check the Applicable Boxes)****Venue (Check any applicable box)**

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this district.
- This petition is being filed by a corporation or partnership under chapter 11 and the Debtor acknowledges that a Venue Disclosure Form is required to be filed by General Order 97-02.

|   |  |   |
|---|--|---|
| Type of Debtor (Check all boxes that apply)   | Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)  |   |
| <input type="checkbox"/> Individual(s)<br><input checked="" type="checkbox"/> Corporation<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other                                       | <input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker   | <input type="checkbox"/> Chapter 7 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Sec. 304 - Case Ancillary to foreign proceeding |
| Nature of Debts (Check one box)   | Filing Fee (Check one box)   |   |
| <input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business   | <input checked="" type="checkbox"/> Full Filing Fee attached   |   |
| Chapter 11 Small Business (Check all boxes that apply)  | <input type="checkbox"/> Filing Fee to be paid in Installments (Applicable to individuals only) Must attach signed application for the Court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3 |   |
| <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101<br><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional) |  |   |

**Statistical/Administrative Information (Estimates only)**

- Debtor estimates that funds will be available for distribution to unsecured creditors.
- Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

09/03/2002 \*\*FILED\*\* 10:50

RS02-24284MG

## DEBTOR:

CONSOLIDATED FREIGHTWAYS CORP

JUDGE: HON. M. Goldberg - 470

TRUSTEE: CH: 11 (INCOMPLETE)

341A MTG:

ADR:

|                          |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1-15                     | 16-49                    | 50-99                    | 100-199                  | 200-999                  | 1000-Over                           |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

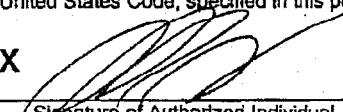
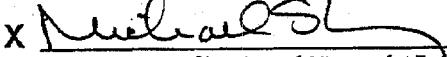
**Estimated Assets reported on a consolidated basis with affiliated debtors:**

|                          |                          |                          |                           |                              |                               |                                |                                     |
|--------------------------|--------------------------|--------------------------|---------------------------|------------------------------|-------------------------------|--------------------------------|-------------------------------------|
| \$0 -<br>50,000          | \$50,000-<br>\$100,000   | \$100,001-<br>\$500,000  | \$500,001-<br>\$1 million | \$1,000,001-<br>\$10 million | \$10,000,001-<br>\$50 million | \$50,000,001-<br>\$100 million | More th:<br>\$100 mill              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/>      | <input type="checkbox"/>       | <input checked="" type="checkbox"/> |

**Estimated Debts reported on a consolidated basis with affiliated debtors:**

|                          |                          |                          |                           |                              |                               |                                |                                     |
|--------------------------|--------------------------|--------------------------|---------------------------|------------------------------|-------------------------------|--------------------------------|-------------------------------------|
| \$0-<br>50,000           | \$50,001-<br>\$100,000   | \$100,001-<br>\$500,000  | \$500,001-<br>\$1 million | \$1,000,001-<br>\$10 million | \$10,000,001-<br>\$50 million | \$50,000,001-<br>\$100 million | More th:<br>\$100 mill              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/>      | <input type="checkbox"/>       | <input checked="" type="checkbox"/> |

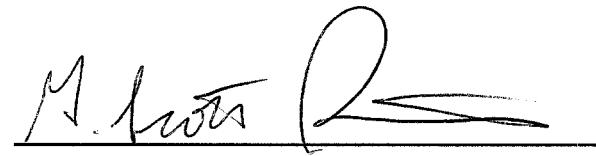
 CLERK, U.S. BANKRUPTCY COURT  
 CENTRAL DISTRICT OF CALIF. ID: 009  
 RECEIPT NO: RS-022470 \$ 830.00

|   |               |  |  |
|---|---------------|--|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case.)</i>  |               | Name of Debtor(s): CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, a Delaware corporation  |  |
| Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)   |               |  |  |
| Location<br>Where Filed: None   | Case Number:  | Date Filed:  |  |
| Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)  |               |  |  |
| Name of Debtor:   | Case Number:  | Date Filed:  |  |
| District:   | Relationship: | Judge:   |  |
| <b>Signature(s) of Debtor(s) (Individual/Joint)</b>   |               |  |  |
| <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> |               |  |  |
| Signature of Debtor   |               | Signature of Debtor (Corporation/Partnership)  |  |
| Signature of Joint Debtor   |               | I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  |  |
| Telephone and Fax Number (If not represented by attorney)   |               | The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.   |  |
| Date  |               | <br>Signature of Authorized Individual   |  |
| Signature of Attorney   |               | John P. Brincko<br>Printed Name of Authorized Individual   |  |
| <br>Signature of Attorney for Debtor(s)<br>Michael S. Lurey<br>LATHAM & WATKINS<br>633 West Fifth Street, Suite 4000<br>Los Angeles, California 90071-2007<br>Telephone: (213) 485-1234<br>Facsimile No.: (213) 891-8763<br><u>09/01/02</u> <u>048235</u><br>Date                  Bar Number  |               | Chairman of the Board, President, and Chief Executive Officer<br>Title of Authorized Individual<br><u>09/01/02</u><br>Date   |  |
| Exhibit "A"   |               | Signature of Non-Attorney Petition Preparer  |  |
| To be completed if debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11<br><input checked="" type="checkbox"/> Exhibit "A" is attached and made a part of this petition.   |               | I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.  |  |
| Exhibit "B"   |               | Printed or Typed Name of Bankruptcy Petition Preparer<br><br>Social Security Number<br><br>Address<br><br>Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document:<br><br>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. |  |
| To be completed if debtor is an individual whose debts are primarily consumer debts. I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.   |               | Signature of Bankruptcy Petition Preparer<br><br>Date<br><br>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.   |  |
| Signature of Attorney for Debtor(s)   |               | Date   |  |

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Commencement of Chapter 11 has been served via U.S. Mail, postage prepaid, on this 13th day of September, 2002, upon the following:

Lawrence Markowitz  
Markowitz & Krevsky P.C.  
208 E. Market Street  
P.O. Box 382  
York, PA 17405



G. SCOTT PATERNO